

FORM PTO-1390  
(REV. 10-2003)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

10191/4226

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

**10/541207**

INTERNATIONAL APPLICATION NO.

**PCT/DE2004/000615**

INTERNATIONAL FILING DATE

**(25/03/04)  
25 March 2004**

PRIORITY DATE CLAIMED:

**(28/05/03)  
28 May 2003**

TITLE OF INVENTION

**DEVICE FOR CLASSIFYING AT LEAST ONE OBJECT WITH THE AID OF AN  
ENVIRONMENTAL SENSOR SYSTEM**

APPLICANT(S) FOR DO/EO/US

**WEBER, Dirk; KUTTENBERGER, Alfred; THEISEN, Marc; and BUNSE, Michael**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4))
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☒ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 FR 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4) S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application
20. ☒ Other items or information: **International Search Report and PCT/RO/10**

JC20 Rec'd PCT/PTO 01 JUL 2005

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/541207</b>	INTERNATIONAL APPLICATION NO. <b>PCT/DE2004/000615</b>	ATTORNEY'S DOCKET NUMBER <b>10191/4226</b>
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The following fees are submitted:

<b>21. <input checked="" type="checkbox"/> Basic National Fee</b> ..... \$ 300.00	\$ 300.00	
<b>22. <input type="checkbox"/> Examination Fee</b> <input type="checkbox"/> If International preliminary exam report prepared by USPTO and all claims satisfy provisions of PCT Article 33/(1)(4)..... \$ 100.00 \$ <input checked="" type="checkbox"/> All other situations..... \$ 200.00 \$ 200.00		
<b>23. <input type="checkbox"/> Search Fee</b> —Search Fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as ISA..... \$ 100.00 <input checked="" type="checkbox"/> International Search Report prepared and provided to the Office. \$ 400.00 \$ 400.00 —All other situations..... \$ 500.00 \$		
<b>TOTAL OF (21), (22), &amp; (23) =</b>		<b>\$ 900.00</b>
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing on computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.		
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)
-100	/50=	x \$250
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		
<b>CLAIMS</b>	<b>NUMBER FILED</b>	<b>NUMBER EXTRA</b>
Total Claims	20 - 20 =	x \$50.00
Independent Claims	1 - 3 =	x \$200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)		+ \$360.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>		<b>\$ 900.00</b>
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		
<b>SUBTOTAL =</b>		<b>\$ 900.00</b>
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		
<b>TOTAL NATIONAL FEE =</b>		<b>\$ 900.00</b>
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet. \$40.00 per property.		
<b>TOTAL FEES ENCLOSED =</b>		<b>\$ 900.00</b>
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.	Amount to be refunded:	\$
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <b>11-0600</b> in the amount of \$900.00 to cover the above fees. A duplicate of this sheet is enclosed.	Amount to be charged	\$ 900.00
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to ..... Deposit Account No. <b>11-0600</b> . A duplicate copy of this sheet is enclosed.		
d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.		

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

KENYON & KENYON

One Broadway

New York, New York 10004

**CUSTOMER NO. 26646**

By: *[Signature]*

SIGNATURE

Richard L. Mayer (Reg. No. 22,490)

NAME

7/8/05

DATE